

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOE HAND PROMOTIONS, INC.,

Plaintiff,

vs.

CARRIER ENTERTAINMENT, LLC, doing
business as NOWHERE BAR, and DANIEL L.
CARRIER,

Defendants.

4:19-CV-3059

MEMORANDUM AND ORDER

This matter is before the Court on the Motion for Attorney Fees filed by Plaintiff, Joe Hand Promotions, Inc. (“Joe Hand”). [Filing 14](#). For the reasons stated herein, the motion is granted.

BACKGROUND

On October 20, 2019, this Court entered an Order and Default Judgment in favor of Joe Hand and against Defendants, Carrier Entertainment, LLC, and Daniel L. Carrier, under [47 U.S.C. § 605](#) relating to the piracy of satellite communications. [Filing 12](#); [Filing 13](#). The Court denied Joe Hand’s request for attorney fees, however, due to its failure to support its application with a detailed affidavit as required under NECivR [54.3\(b\)](#) and NECivR [54.4\(a\)\(1\)](#). [Filing 12 at 7](#). It allowed Joe Hand fourteen days to file a post-judgment motion for attorney fees pursuant to [Fed R. Civ. P. 54\(d\)\(2\)\(B\)\(i\)](#). [Filing 12 at 8](#). On December 3, 2019, Joe Hand filed a post-judgment motion for attorney fees documenting \$1,825 expended in attorney fees and supported by counsel’s affidavit. [Filing 14-1](#). Having reviewed the motion and supporting documents, the Court finds them now to be in compliance with the local rules regarding applications for attorney fees.

ANALYSIS

Pursuant to [47 U.S.C. § 605\(e\)\(3\)\(B\)\(iii\)](#), the court “shall direct the recovery of full costs, including awarding reasonable attorneys’ fees to an aggrieved party who prevails.” To calculate a reasonable attorney fee, “courts typically begin by using the lodestar method” which “multipl[ies] the number of hours reasonably expended by the reasonable hourly rates.” *Brewington v. Keener*, 902 F.3d 796, 805 (8th Cir. 2018) (alteration in original) (quoting *Hanig v. Lee*, 415 F.3d 822, 825 (8th Cir. 2005)). Here, counsel has demonstrated 7.3 hours expended on this matter at the hourly rate of \$250, for a total of \$1,825. [Filing 14-1 at 2](#).

The Court agrees this is a reasonable number of hours expended and a reasonable rate. Joe Hand, as the prevailing party, is entitled to recover its attorney fees. Accordingly,

IT IS ORDERED:

1. The Motion for Attorney Fees, [Filing 14](#), filed by Plaintiff, Joe Hand Promotions, Inc., is granted;
2. Plaintiff, Joe Hand Promotions, is awarded attorney fees in the amount of \$1,825.

Dated this 6th day of December, 2019.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge